Statement of Principles and Objectives

Governance and Accountability

For the Workplace Safety and Insurance System

Adopted May 9, 2005

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Preamble:

At the direction of the Minister of Environment and Labour, the Chair of the Workers' Compensation Board (the "WCB") and the Deputy Minister of Environment and Labour ("DEL") released a Discussion Paper on Governance and Accountability on October 1, 2004. A Feedback Document based on responses from Stakeholders was released on November 10, 2004. General meetings of stakeholders were held on December 7, 2004 and January 27th, 2005. In addition, representatives of labour and of injured workers met on January 6th, while representatives of employer organizations met on January 7th, 2005. At the January 27th meeting a working group was established to work with the Chair and Deputy Minister to prepare recommendations for changes that will be shared with the larger group of stakeholders. The Working Group met on February 16th, March 3rd, April 7th, 19th and 29th to further develop consensus on this Statement of Principles and Objectives.

The WCB is an independent agency operating at arm's length from Government. One of the motivating objectives for this review has been to ensure that this independence from Government is maintained and indeed, strengthened. The other key objective has been to maintain and strengthen the accountability of the WCB to the stakeholders of the WCB. These two objectives are linked, as meaningful accountability to stakeholders is one of the vehicles for reinforcing the WCB's independence from Government. At the same time, it is recognized that accountability to stakeholders does not and cannot be allowed to mean direct governance of the WCB by stakeholders. In the end, WCB governance is the collective responsibility of the people who serve as directors.

It is recognized that the WCB operates as part of the Workplace Safety and Insurance System (WSIS), which also includes the Department of Environment and Labour, The Workers' Advisor Program (the "WAP") and the Workers' Compensation Appeals Tribunal (the "WCAT"). It is also recognized that each of these agencies can be more successful in meeting their distinct mandates and accountabilities if they are guided by a shared vision for the entire system. It is further recognized that it is particularly important that there be alignment between the goals and objectives that are pursued by the DEL as the administrator of the Occupational Health and Safety Act and by the WCB as the administrator of the workplace insurance and the accident prevention programs. To achieve and maintain that alignment, it is agreed that a coordinating mechanism should be created to ensure that the necessarily distinct strategic and business planning processes of the two organizations are linked and animated by a common vision for the WSIS. It is also recognized that strategic planning throughout and across the system needs to include significant input and feedback from stakeholders.

It is important to stress that maintaining the independence of the various agencies that make up the system is a critical component of this report. The agencies are not changing their reporting relationships or independence, but are instead looking to better coordinate key areas of interaction. Collaboration rather than controlling is the underlying principle. The common framework for each of the agencies is the legislation, and the need to establish broad and shared goals and objectives for the system.

This document is a statement of principles and objectives for renewed governance and accountability for the WSIS. It addresses the consensus of the participating stakeholders and will be used as a basis to determine where legislation is appropriate or where other means can be used to achieve the principles and objectives, such as through the implementation of this Statement of Principles and Objectives. It is premised on the understanding that the stakeholders will participate in strategic planning for the WSIS and nominate representatives for the board and for the committees, which are integral to the system. It is also premised on the understanding that Government will respect the role of stakeholders' consensus in determining future change.

1.0 Structure of the Workplace Safety and Insurance System

Attached as Appendix A is a diagram of the proposed organizational structure of the WSIS system that has emerged from this consultation on Governance and Accountability. Appendix B is a brief synopsis of the key components of the WSIS system.

The structure of the WSIS has evolved over many years. The WCB was created by statute in 1915. The Workers' Advisor Program and the Workers' Compensation Appeals Tribunal were both created by the new Workers' Compensation Act of 1995. Initially, prevention was at the WCB, then it moved to the Occupational Health and Safety Division of DEL and later it was returned to the WCB. Initially the legislation was silent on which Minister would be accountable for the WCAT, but later the Minister of Justice was made responsible for the supervision and management of Part II of the legislation that establishes the WCAT.

The stakeholders have indicated that they see value in having the WCAT be involved in system level planning. This has been happening, particularly over the past 12 months. The purpose behind this is to have valuable input on new policies from the adjudicative perspective.

Stakeholders have indicated support for a legislative change that would make the Minister of Environment and Labour the responsible Minister for Part II of the legislation. The rationale for this change would be a legislative structure that emphasizes that all agencies are part of an overall system that is collectively accountable to the House of Assembly through a single member of the Executive Council. The change would not be intended to interfere with the adjudicative independence of the WCAT but to simply reflect the importance of WCAT's contribution to a more coordinated and inclusive vision

for the WSIS, as indeed is already happening. The key point is however, that WCAT participate in the overall planning process in ways that are appropriate to an independent adjudicative agency, regardless of which Minister is legislatively responsible for WCAT.

A key addition to the WSIS diagram that is attached is the System Coordinating Committee. This Committee would be comprised of the Chair of the Workers' Compensation Board and the Deputy Minister of Environment and Labour. The Committee would coordinate recommendations on legislative change from stakeholders, and align the system's strategic goals and objectives. This is intended to ensure coordinated discussion, but not to interfere with the developmental processes for strategic plans in the individual agencies that make up the system. This Committee is not a management or a control committee, but a true coordination committee. The WCB and DEL would continue to be accountable for their own respective mandates.

2.0 Broad Objectives for Governance and Accountability

It is agreed that a renewed system of governance and accountability should focus on the following objectives:

2.1 To ensure that the Board of Directors of the Workers' Compensation Board is truly representative of the stakeholders of the system.

2.2 To ensure that all the agencies which make up the WSIS work collaboratively to improve the system by demonstrating the values of fairness and accountability in their decision-making processes, recognizing that each agency has its own independent mandate.

2.3 To ensure that the values of consultation, openness and transparency are reflected in the governance and accountability of the WSIS.

2.4 To ensure that the agencies, which make up the WSIS work effectively to maximize coordination of services.

2.5 To ensure that the system becomes less legalistic.

3.0 Membership on the Workers' Compensation Board

3.1 It is agreed to maintain a balance between employer and employee representation on the Board of Directors of the members of WCB. It is agreed that representative employers and employees' organizations, as noted in the appendices, should have a direct influence on the selection and appointment of board members. It is agreed that there will be four employer and four employee voting representatives.

3.2 It is agreed that the NS Federation of Labour and designated injured workers associations will have a role in nominating employee representatives. References to employee representatives or associations include labour and designated injured worker associations. It is agreed that employer associations representing employers who are assessed under the Workers Compensation Act will have a role in nominating employer representatives. A current list of employers associations, who have assessed employers in their membership, and employee associations are attached at the end of this document as Appendix C.

3.3.1 It is agreed that there should be a general advertisement for members of the board indicating that persons advancing their names must be nominated by and representative of employer and employee associations. A sample advertisement is attached. In addition, a letter should go out to organizations representing assessed employers and employees from the Minister seeking nominations. It is agreed that only nominees supported by representative associations or organizations will be eligible to be appointed as members of the board. It is agreed that the Governor in Council will appoint from nominees of representative associations. Before reappointing a member, the Minister must receive a letter of renomination from the employee or employer association or any of the employer or employee associations supporting the renomination.

3.4 It is agreed that nominations will be made that ensure participation based on region, gender, cultural diversity and capacity to contribute to the governance of the board. It is agreed that the Governance Committee of the WCB will promote new member development and will advise the Minister in advance of any pending vacancies. It is agreed that nominees should be reviewed by the departmental screening committee, which has representatives of employers and employees, to prepare the list of nominees for the Minister.

3.5 It is agreed that the board members terms should be staggered, so that there is an opportunity for learning and transition for new members and continuity of direction. The length of terms, 4 years for members, and 5 years for the Chair and Deputy Chair is appropriate, providing that no member can serve for more than 2 terms to ensure appropriate renewal and revitalization on the board. It is agreed to assist in the recruitment, mentoring and nomination of new members.

3.6 It is agreed that when a member changes an occupation so as to no longer be representative of the employer or employee associations, any of the employer or employee associations will advise the Chair as to whether the member continues to have stakeholders' support.

3.7 It is agreed that the process for selection and appointment of the Chair should continue and that the same process be used for the selection and appointment of the Deputy-Chair. It is agreed that one of the criteria that the Committee may take into account is that the person who is nominated for Deputy-Chair may become

Chair, and should have the capacity to act in the stead of the Chair. The revised selection process is attached to this document as Appendix E.

3.8 It is agreed that at this time it is more important to have representatives who are strongly interested in the outcomes of key decisions, and not public interest representatives. All representatives should be voting representatives.

3.9 It is agreed that there is consensus on the principle that no organization owns a seat on the board and that there should be enhanced accountability to stakeholders.

3.10 It is agreed that the ability to avoid being overly legalistic, to promote mediated solutions, and yet remain prudent is the key to defining the reasonable board member in an increasingly complex system.

4.0 Common Obligations of Workers Compensation Board Directors

4.1 It is agreed that each director should be specifically accountable for the duties of directors, including that they

a. Act honestly and in good faith, exercise the care, diligence and skill of a reasonably prudent person and act in the best interest of the board.

b. Act as an agent and trustee of the board in the execution of its mandate and the protection of the WCB's assets for all stakeholders.

c. Present the views and concerns of the stakeholder groups they represent and consider the views and concerns of other stakeholders in an open manner.

d. Promptly report the existence of, or possible perception of, a conflict of interest to the Chair in keeping with the Conflict of Interest policy.

e. Participate in the deliberations of the board and be supportive of the final decision adopted by the board.

f. Endeavour to attend all board meetings called by the Chair and the meeting of committees to which they have been appointed, except where notice of absence has been provided.

g. Be familiar with the briefing material sent out prior to Board and Committee meetings, and have consulted with stakeholders on the major policy changes under consideration.

h. Adhere to the confidentiality required by the Freedom of Information and Protection of Privacy Act, but maintains communication with the stakeholder groups the member represents.

i. Participate in conferences and seminars relevant to workers' compensation issues in accordance with the Directors' education policy.

4.2 It is agreed that members of the board of directors must comply with the conflict of interest disclosure policy.

4.3 It is agreed that there is support for the continuation of the consensus model as a decision-making process that has long been used by the WCB Board of Directors. It is recognized that the model will operate in accordance with the Governance Manual of the WCB Board of Directors.

5.0 Consultation with Stakeholders

5.1 It is agreed that the system should be accountable, open and transparent. It is agreed that there should be an open annual general meeting each Spring for all agencies of the WSIS. This would include the Occupational Health and Safety Division, the Workers Advisers Program and the Workers Compensation Appeals Tribunal, the Workers Compensation Board, the System Goals Advisory Committee and an Employers Advisers Program if developed.

5.2.1 It is agreed that there should be a positive responsibility for the board of directors, as well as individual board members, to consult with stakeholders before decisions are made. The Board of Directors should take measures through management, and create processes to help facilitate this ongoing contact between stakeholders and the board as well as between individual board members and stakeholders.

5.2.2 It is agreed that there should be biannual stakeholder meetings with the Workers' Compensation Board to ensure that stakeholders have an opportunity to meet with and discuss issues in roundtables with the board of directors

6.0 Openness and Transparency with respect to Workers' Compensation Board of Directors Decision Making

6.1 It is agreed that there should be openness and transparency regarding all matters considered by the board of directors, other than for:

a. Acquiring or selling property;

b. Personnel matters;

c. Labour relations issues;

d. Specific case files;

e. Contract negotiations;

f. Litigation and potential litigation;

g. Legal advice;

h. Security; and

i. Other confidential matters designated by the board of directors.

7.0 Remuneration of Workers Compensation Board Members

7.1 It is agreed that the current remuneration of the board members, Chair and Deputy Chair have not been reviewed in over ten years and should be addressed by Government. Compensation should reflect the magnitude and scope of the Board's mandate, but also reflect the fact that it is not a full-time job. It is agreed that the Governance Committee of the Board should continuously review and from time to time make recommendations on appropriate remuneration.

8.0 System Advocacy

8.1 It is agreed that employers and employees experience difficulty in navigating the complex workers compensation system. It is further agreed that the system is overly litigious and a mediated approach is preferable to resolve any and all disputes. Therefore, it is appropriate to look at programs that would provide assistance for both employers and employees. These programs might include an ombudsperson and mediation. A program should be established to assist employees in obtaining information and/or resolving disputes before the Case Management Level of adjudication. Such assistance shall not conflict or overlap with the current responsibilities of the Workers' Adviser Program. A program should be established to assist Employers in obtaining information and/or resolving disputes at or after the Case Management Level of adjudication. The System Coordinating Committee should ensure that programs are developed to address these objectives.

9.0 System Coordinating Committee

9.1 It is agreed that the System Coordinating Committee should be the Chair of the WCB and the Deputy Minister of DEL. It is agreed that the Committee would have a mandate that includes recommendations on legislation and overall system coordination. It would have primary responsibility for ensuring that the strategic

and business planning processes of the WCB and the DEL advance a shared vision of the goals and objectives of the broader WSIS.

In particular, it will be the responsibility of this committee to ensure that there is consultation with stakeholders in the development of the goals and objectives for the system. It should also be the function of this committee to foster a more collaborative relationship between all of the agencies that make up the WSIS including the WCB, WAP, OHS and WCAT and any other agencies that may be added to the system in the future.

This committee would also ensure that the operation of the Systems Goals Advisory Committee is supported, including by the Heads of Agencies Committee. More generally, the System Coordinating Committee will ensure that there is an appropriate linkage between these two committees.

10.0 Heads of Agencies Committee

10.1 The Heads of Agencies Committee is made up of the respective administrative leaders of the four agencies that currently make up the system (OHS, WAP, WCAT and WCB) and would be changed if any other agencies are added to the system in the future. It is agreed that the mandate of the Heads of Agencies Committee is to oversee the coordinated implementation of the plans developed by each agency and in particular, to improve operational collaboration among the agencies.

10.2 The Heads of Agencies Committee is also responsible for working with the System Goals Advisory Committee (SGAC). This will include providing the SGAC with the information and other inputs it needs to provide timely advice on system goals and objectives, and the information it needs to give advice on monitoring and evaluating performance against agreed upon goals and objectives. It is agreed that the Heads of Agencies Committee will report regularly to the SGAC on the implementation of agency strategic plans and receive input from the SGAC and take that input back to their respective agencies.

11.0 System Goals Advisory Committee

11.1 This Advisory Committee (currently called the System Planning and Performance Measures Committee) would be co-chaired by an employer and employee representative, and have equal numbers of employer and employee representatives for a total of eight members. It would provide advice to the agencies that make up the system on system goals and objectives and on measuring system performance against system goals and objectives.

11.2 It is agreed that the Co-Chairs of the OHS Advisory Council should be members of the SGAC, along with an employer and employee representative from the WCB Board of Directors.

11.3 It is agreed that the Committee will meet regularly with the Heads of Agencies Committee to ensure that the administrative heads of the agencies have an opportunity to report on progress towards the goals and objectives set out for the system and to otherwise inform and support the work of the Committee

12.0 Occupational Health and Safety Advisory Council

12.1 It is agreed that the Occupational Health and Safety Advisory Council will continue to have a direct advisory role to the Minister on Occupational Health and Safety matters. It will also continue to have an advisory role to the WCB Board of Directors on prevention and will be involved in the identification of broad goals and objectives for the WSIS through the SGAC. It is agreed that the participation of the Co-Chairs of the OHS Advisory Council on this Committee will assist in ensuring that strategic directions for prevention and compliance are coordinated for the system.

12.2 It is agreed that the Occupational Health and Safety Advisory Council will report in an advisory role twice each year to the System Coordinating Committee on prevention initiatives and on proposals to enhance prevention and occupational health and safety within the province.

12.3 It is agreed that the current agreement between the WCB and the Occupational Health and Safety Advisory Council, where the Chair attends at an Advisory Council Meeting once a year and the Co-Chairs of the Council attend at a WCB Board of Directors Meeting once a year to provide updates and promote cooperation and input especially on prevention matters, should be continued.

13.0 Role of the Minister

13.1 It is agreed that the Minister is responsible for fulfilling the key responsibilities under the legislation, and for bringing forward legislative and regulatory proposals for the system upon the recommendation of the System Coordinating Committee.

13.2 It is agreed that the Minister be responsible for making recommendations to the Governor in Council on appointments to the Board from the nominees that are supported by employer and employee stakeholder associations and that are vetted by the DEL screening committee.

14.0 Mandate of the WCB Board

14.1 It is agreed that the current mandate of the board, which is to oversee the insurance and prevention programs, is appropriate. It includes the following legislative provisions:

a. To appoint and supervise the CEO;

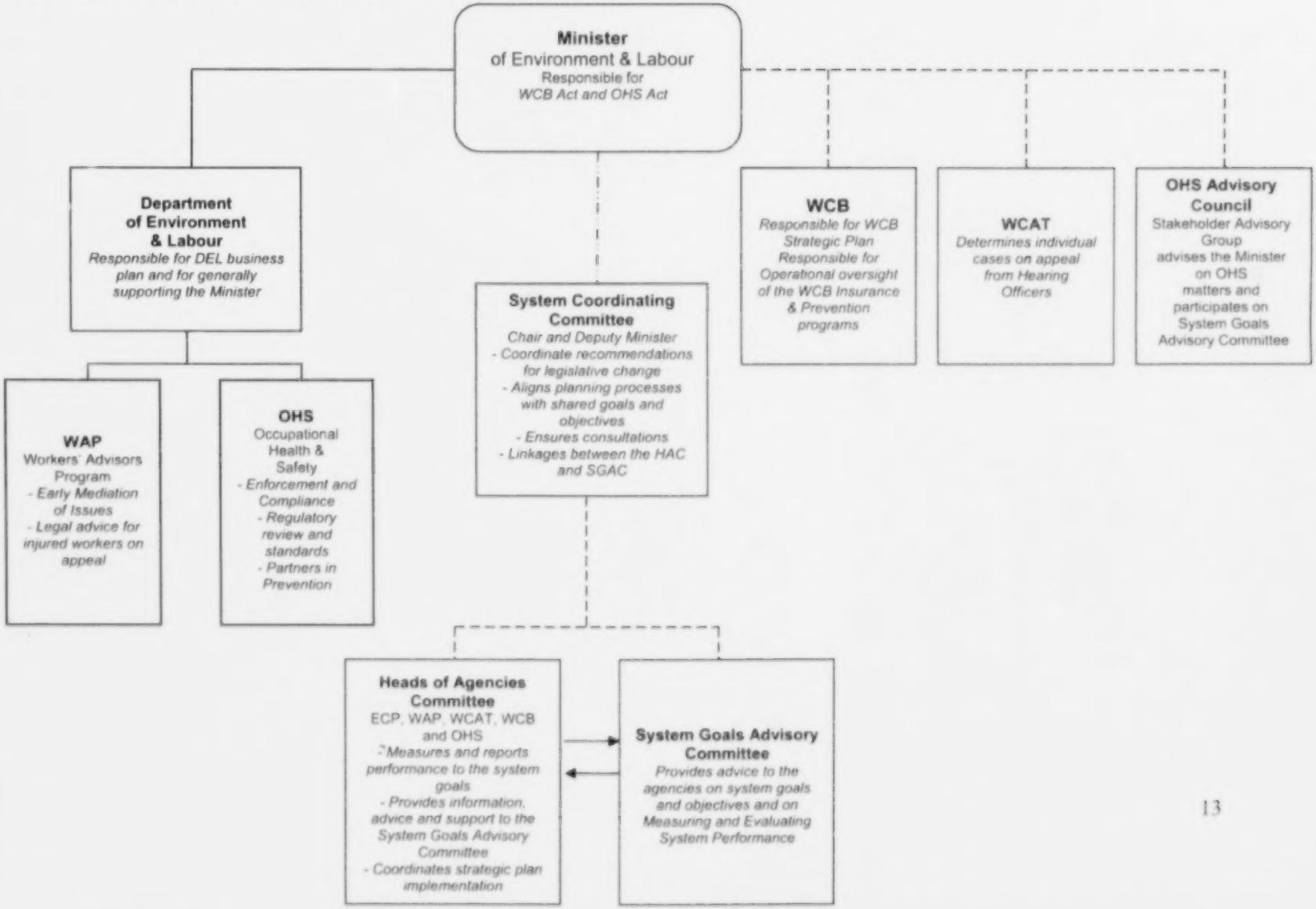
b. To conduct or provide funding for research and safety programs on injury prevention and safety in the workplace;

c. To enter into agreements with NS Health Services & Insurance respecting medical costs;

d. To administer any Act for the Government of Canada or by order of the Governor in Council respecting
   i) The payment of any person named in the Act;
   ii) Employment safety.

e. To work cooperatively in any way with the OHS Division in order to promote occupational health and safety.

Appendix A Workplace Safety and Insurance System


Minister
of Environment & Labour
Responsible for
WCB Act and OHS Act
Department
of Environment
& Labour
Responsible for DEL business plan and for generally supporting the Minister
WAP
Workers' Advisors Program
- Early Mediation of Issues
- Legal advice for injured workers on appeal
OHS
Occupational Health & Safety
- Enforcement and Compliance
- Regulatory review and standards
- Partners in Prevention
System Coordinating Committee
Chair and Deputy Minister
- Coordinate recommendations for legislative change
- Aligns planning processes with shared goals and objectives
- Ensures consultations
- Linkages between the HAC and SGAC
WCB
Responsible for WCB Strategic Plan
Responsible for Operational oversight of the WCB Insurance & Prevention programs
WCAT
Determines individual cases on appeal from Hearing Officers
OHS Advisory Council
Stakeholder Advisory Group
advises the Minister on OHS matters and participates on System Goals Advisory Committee
Heads of Agencies Committee
ECP, WAP, WCAT, WCB and OHS
- Measures and reports performance to the system goals
- Provides information, advice and support to the System Goals Advisory Committee
- Coordinates strategic plan implementation
System Goals Advisory Committee
Provides advice to the agencies on system goals and objectives and on Measuring and Evaluating System Performance

Appendix B
Key Components of the WSIS

1. Minister Responsible:
Elected member of the Executive Council, responsible to the Legislature on matters relating to the Occupational Health and Safety and the Workers' Compensation Act and their administration.

2. NS Department of Environment and Labour
Occupational Health and Safety Division
Reporting to the Deputy Minister of Environment and Labour. The authority and responsibilities of the Director and Division staff are established in the Occupational Health and Safety Act.

3. Workers Advisers Program
Reporting to the Deputy Minister of Environment and Labour, the authority and power of the Program is established in the Workers' Compensation Act.

4. Workers Compensation Appeal Tribunal
A quasi-judicial body that determines appeals. The Tribunal's authority and role are defined in the Workers' Compensation Act, and have been subject to further expansion by the Supreme Court of Canada.

5. Workers Compensation Board of Directors
A stakeholder representative board that has stewardship responsibilities for injury prevention and the operations of the insurance program for individuals injured as a result of their employment. The Workers' Compensation Board receives its authority from the Workers Compensation Act.

6. Occupational Health and Safety Advisory Council
A stakeholder representative advisory group to the Minister of Environment and Labour on matters related to the Occupational Health and Safety Act and the state of health and safety in NS. It also has an advisory role to the WCB Board of Directors on prevention. The Advisory Council is created under the authority of the Occupational Health and Safety Act.

7. System Coordinating Committee
An advisory committee to the Minister of Environment and Labour comprised of the Chair of the Workers' Compensation Board and the Deputy Minister of Environment and Labour. The Committee has a mandate that includes coordinating recommendations on legislation and overall system coordination.

8. System Goals Advisory Committee
This Committee, comprised of eight stakeholder nominated representatives, would be co-chaired by an employer and employee representative, and would be accountable for

identifying broad goals and objectives for the system, and measuring performance of the system to those broad goals and objectives. It is agreed that the Co-Chairs of the OHS Advisory Council should be members of the SGAC along with an employer and employee representative from the WCB Board of Directors.

9. Heads of Agencies Committee

The Heads of Agencies Committee is made up of the respective leaders of the four agencies that make up the system (OHS, WAP, WCAT and WCB). It is agreed that the mandate of the Heads of Agencies Committee is to oversee the coordinated implementation of the plans developed by each agency and in particular to improve collaboration among the agencies.

Appendix C Current List of Employer and Employee Associations

Employers:

MANUFACTURING
Canadian Manufacturers and Exporters
HEALTH/SOCIAL SERVICES
NS Association of Health Organizations
RETAIL TRADE
Retail Gasoline Dealers' Association
Canadian Council of Grocery Distributors
NS Automobile Dealers Association
Retail Council of Canada
CONSTRUCTION
Construction Association of NS
NS Home Builders' Association
WHOLESALE TRADE
TRANSPORTATION/STORAGE
NS Trucking Association
Automotive Trades Association (Retail Gas)
GOVERNMENT SERVICES
Union of NS Municipalities/AMA
ACCOMMODATION/FOOD/BEVERAGES
Canadian Restaurant and Foodservice Association
Tourism Industry Association of NS
BUSINESS SERVICES
Canadian Federation of Independent Business
COMMUNICATION/UTILITIES
OTHER SERVICES
FISHING/TRAPPING
Seafood Producers Association of NS
MINING/QUARRIES/OIL WELLS
Chamber of Mineral Resources
LOGGING/FORESTRY
Forest Products Association

Employees:

NS Federation of Labour -- Umbrella Organization
Canadian Union of Public Employees (CUPE)
Nova Scotia Government Employees Union (NSGEU)
Nurses Union of Nova Scotia
Canada Union of Postal Workers
United Food & Commercial Workers Union (UFCW)
Canadian Auto Workers
Bakery, Confectionary, Tobacco and General Workers Union
Mainland Injured Workers
Pictou County Injured Workers Association
Cape Breton Injured Workers Association

(Note: this is a representative sample, and there may be others associations covered by workers' compensation benefits in NS that should be added here).

Appendix D
Draft advertisement for Board of Directors:

The Workers' Compensation Board is a vibrant, stakeholder-driven Board of Directors that sets the vision, accountability and policy direction for the WCB, and works in partnership with other agencies to develop coordinated strategies for the WSIS.

The Province of Nova Scotia is seeking two employer and two employee stakeholder representatives to sit as members of the Board of Directors for the Workers' Compensation Board. The Workers Compensation Board exercises stewardship over yearly revenues in excess of $216 Million and assets of over $844 Million. The Board operates independently from government and is accountable to employer and employee stakeholders.

Employer and employee (which include injured workers) stakeholder associations that are interested in nominating members to serve on the board of directors should forward the individual's resume, specifying the nominee's experience in the field of workers' compensation, safety and injury prevention, together with a letter of nomination from the association and any other supporting documentation. Individual applications will not be considered. Stakeholder associations are asked to provide information related to the affirmative action candidates who are members of aboriginal communities, women, persons with disabilities and members of racially visible groups. Compensation for these positions in currently under review.

Stakeholder associations are asked to send their completed nominations to:

Executive Council Office
One Government Place, 6th Floor 1700 Granville Street
PO Box 2125 Halifax, B3J 3B7

Fax (902) 424-0667
Email: execounc@gov.ns.ca

Appendix E
Selection Process for Chair and Deputy Chair of the WCB

SELECTION COMMITTEE FOR THE CHAIR

AND DEPUTY CHAIR OF THE WORKERS' COMPENSATION BOARD

Revised 2005

Appointment Process for Selecting a Chair or Deputy Chair, Workers' Compensation Board

1. Appointment of the Selection Committee

When the Minister of the Environment and Labour determines that the appointment of a new Chair or Deputy Chair is desirable, the Minister will appoint members to an ad-hoc Selection Committee from the following stakeholders:

- 2 members representing employers,
- 2 members representing employees,
- 1 member from the Public Service Commission, who shall act as Chair of the Committee.

All members are voting members of the Committee, with the Chair being able to cast the deciding vote in the event of an absence of consensus. A staff member from the Public Service Commission will assist the Committee and Chair on the selection and interview process.

The Committee will meet expeditiously to set their agenda, review the criteria, questions for candidates, to conduct interviews and review candidates and make their recommendations to the Minister of Environment and Labour.

Members of the Committee shall receive no remuneration, other than their travel expenses and accommodation.

2. Advertising and Screening

The Public Service Commission will conduct the advertisement for the Chair or Deputy Chair through the Government website and advertisement in the provincial and/or national papers. The ad will run prominently in the Careers and Business sections to draw as much interest as possible from those with experience in the workers compensation system, in working with committees related to injury and accident prevention, disability and insurance plans, law, insurance, safety and the corporate sector.

Screening will be conducted by the Selection Committee to ensure the Committee is focused on the most promising and qualified candidates. All background and reference checks will be conducted by the Public Service Commission.

3. Interviewing and Scoring

The interviews will be conducted by the Selection Committee through the Public Service Commission's offices and will be scored on a consistent basis. Following the interview process and scoring, the Committee will make its recommendations to the Minister. The Committee will conduct its selection process in a confidential and impartial manner, recognizing that the final selection must be made by the Minister and approved by Cabinet.

4. Criteria to be applied by the Committee

The Committee will use the following criteria when evaluating applicants:

1. Personal Characteristics

(a) respect for the essential dignity of all persons
(b) integrity and fairness
(c) politeness and consideration for others
(d) moral courage
(e) punctuality and good, regular work habits
(f) good health, except to the extent that any physical or mental disability would not reasonably preclude performance as a member
(g) not involved in serious, unresolved professional complaints, civil actions, or outstanding financial claims such as unpaid taxes or insolvency proceedings
(h) an absence of pomposity and authoritarian tendencies.

2. Intellectual ability

(a) fair and open-minded
(b) flexible and not unreasonably rigid
(c) able to make decisions promptly or within a reasonable period of time
(d) patient
(e) good listening and mediation skills.

3. Professional excellence

(a) excellent administrative skills to carry out the Board's governance role
(b) good writing and communication skills
(c) if a member in a professional association for the insurance industry, law, etc, the Chair or Deputy Chair shall have
    -good standing within the professional organization
    -at least five years experience in that profession
    -a record of achievement in the profession.

4. Community awareness and understanding

(a) a commitment to public service
(b) awareness of the stakeholder interests that relate to matters before the Board
(c) sensitivity to the changes in social values relating to matters to be determined by the Board
(d) the ability to understand the fiscal and public policies inherent in matters coming before the Board.

5. Selection Process

1. The Committee will consider all written material submitted in support of an application.

2. The Committee will interview all candidates screened by the Selection Committee.

3. The Committee will assess the candidates and make notes regarding the strengths and weaknesses of each candidate.

4. The Committee will submit to the Minister a shortlist of recommended candidates with a precis of information about each.

5. The shortlist will contain not fewer than 2 nor more than 5 candidates and the candidates will not be ranked in order of the Committee's preference.

6. To ensure that the Government is given full and frank advice, the reports of the Committee will not be disclosed except to members of Executive Council or to persons preparing the material for consideration by the Executive Council. All reports of the committee will be kept strictly confidential.

7. Where the advice received from other sources appears to be at variance with that of the Committee, the Minister may ask the committee for a reassessment.

8. The Governor in Council has the ultimate responsibility to make appointments under the Workers' Compensation Act.

9. The Members of the Selection Committee shall sign a confidentiality agreement prior to participating in the process.

Go Forward Plan

Governance and Accountability